UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

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§	Civil Action H-06-2639
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ORDER

Before this court is defendants' suggestion of death properly noticing all parties of the death of plaintiff Brett B. Salter (Dkt. 8). Pursuant to Rule 25(a) of the Federal Rules of Civil Procedure, any party, or successors or representatives of the deceased party may file a motion to substitute a proper party in place of the deceased within 90 days of the filing of the suggestion of death. The suggestion of death in this case was filed December 5, 2007. No motion to substitute was filed with this court as of March 5, 2007, the final day of the 90 day period. Therefore, plaintiff's claim is DISMISSED.

It is so ORDERED.

Signed at Houston, Texas on March 6, 2007.

Glay H. Miller

Inited States District Judge -